

JC10 Rec PCT/PTO 10 NOV 2005

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER REGIM 3.3-042
INTERNATIONAL APPLICATION NO. PCT/FR03/01240	INTERNATIONAL FILING DATE 17 April 2003	U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/511,833
		PRIORITY DATE CLAIMED 19 April 2002
TITLE OF INVENTION A BISTABLE LIQUID CRYSTAL DISPLAY DEVICE INCLUDING IMPROVED ADDRESSING MEANS		
APPLICANT(S) FOR DO/EO/US Jacques Angele, Romain Vercelletto, and Thierry Elbhar		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2))</p> <p> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</p> <p> b. <input type="checkbox"/> has been communicated by the International Bureau.</p> <p> c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <p> a. <input type="checkbox"/> is attached hereto.</p> <p> b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <p> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</p> <p> b. <input type="checkbox"/> have been communicated by the International Bureau.</p> <p> c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</p> <p> d. <input type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p> <p>Items 11 to 20 below concern document(s) or information included:</p> <p>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. w/WSB-08, 9 references (7 enclosed)</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A preliminary amendment.</p> <p>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p>		

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

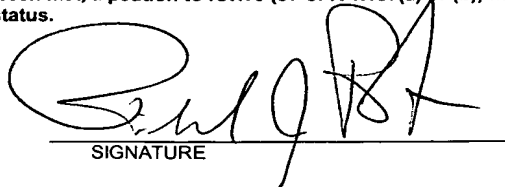
U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/511,833		INTERNATIONAL APPLICATION NO. PCT/FR03/01240		ATTORNEY'S DOCKET NUMBER REGIM 3.3-042	
20. <input checked="" type="checkbox"/> Other items or information: Communication w/copies of Notification of Missing Requirements, PCT Request, ADS, Preliminary Amendment (filed 4/14/05), Return Receipt Postcard					
The following fees have been submitted				CALCULATIONS	PTO USE ONLY
21. <input type="checkbox"/> Basic national fee (37 CFR 1.492(a)) \$300				\$	
22. <input type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) \$0 All other situations \$200				\$	
23. <input type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) \$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority \$100 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB \$400 All other situations \$500				\$	
TOTAL OF 21, 22 and 23 =				\$ 0.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		x \$250.00	\$	
Surcharge of \$130 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	- 20 =		x		
Independent claims	- 3 =		x		
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+		
TOTAL OF ABOVE CALCULATIONS =				\$ 0.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.					
SUBTOTAL =				\$ 0.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$	
TOTAL NATIONAL FEE =				\$ 0.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$	
TOTAL FEES ENCLOSED =				\$ 0.00	
				Amount to be refunded:	\$
				Amount to be charged	\$

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

- a. ☐ A check in the amount of \$ _____ to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. _____ in the amount of \$ 0.00 to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 12-1095. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:


SIGNATURE

Richard J. Botos
NAME

CUSTOMER NUMBER: 000530

32,016
REGISTRATION NUMBER

EXPRESS MAIL LABEL NO.: EV627260102US
DATE: NOVEMBER 10, 2005

PATENT
REGIM 3.3-042

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:	:	
Angele et al.	:	
	:	Group Art Unit:
Application No. 10/511,833	:	
	:	Examiner:
Int. Appln. No.: PCT/FR03/01240	:	
	:	
Int. Filing Date: April 17, 2003	:	November 10, 2005
	:	
For: A BISTABLE LIQUID CRYSTAL DISPLAY:	:	
DEVICE INCLUDING IMPROVED	:	
ADDRESSING MEANS	:	

Mail Stop PCT
Commissioner for Patents
Office of PCT Legal Administration
P.O. Box 1450
Alexandria, VA 2213-1450

Attention: Patricia A. Booker

COMMUNICATION

Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) dated April 14, 2005, (a copy of which is enclosed herewith), please note that a declaration in accordance with PCT Rule 4.17(iv) has already been submitted and, accordingly, no further declaration is required under 37 CFR 1.497. The declaration was filed as pages 5 & 6 of the original PCT Request form (see page 4 of the request form in this regard, indicating that the declaration accompanied the PCT Request form).

Clearly, the International Application filing number was not available on the day of filing (17 April 2003). The declaration does identify the application number and filing date of the French priority application.

A copy of the PCT Request form with the executed declaration filed under PCT Rule 4.17 (iv) is attached, as well as a copy of the Application Data Sheet, as originally filed, containing the International Application number and filing date and the application number and filing date of the priority application. In addition, a

Preliminary Amendment was filed on April 14, 2005, amending the claims, copy enclosed.

Based on the undersigned attorney's conversation with the PTO help desk in July, the Notification of Missing Requirements was apparently improperly issued. Specifically, the oath filed with the PCT application satisfied the requirements of 37 CFR §1.497 (a) and (b) since 1.) the declaration as filed with the International Application is not required to identify the International Application number when filed commensurately therewith and 2.) the International Application was identified on the Application Data Sheets. Accordingly, Applicant respectfully submits that there is no need to file a supplemental oath that identified the International Application number.

Since the requirement for additional claims fee was satisfied with the Preliminary Amendment filed April 14, 2005, no fee is required to respond to this Notice of Missing Requirements, since this Notice was improperly issued for the reasons described above.

If the Examiner has any questions concerning this matter, he is requested to call applicant's attorney at (908) 654-5000. If there are any additional fees, please charge them to our Deposit Account No. 12-1095.

Dated: November 10, 2005

Respectfully submitted,

By 

Richard J. Botas

Registration No.: 32,016

LERNER, DAVID, LITTENBERG, KRUMHOLZ
& MENTLIK, LLP

600 South Avenue West

Westfield, New Jersey 07090

(908) 654-5000

Attorney for Applicant



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/511,833	Jacques Angele	REGIM 3.3-042

INTERNATIONAL APPLICATION NO.

PCT/FR03/01240

LA. FILING DATE	PRIORITY DATE
04/17/2003	

530
LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK
600 SOUTH AVENUE WEST
WESTFIELD, NJ 07090

*Due
14-JE-2005
COLL*

CONFIRMATION NO. 6387
371 FORMALITIES LETTER
OC000000015730973
OC000000015730973

Date Mailed: 04/14/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 10/19/2004
- Copy of the International Search Report filed on 10/19/2004
- Copy of references cited in ISR filed on 10/19/2004
- U.S. Basic National Fees filed on 10/19/2004

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$50 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$50 for a Large Entity:

- Total additional claim fee(s) for this application is \$ 50
 - \$50 for 50 total claims over 20.

APR 18 2005

RECEIVED

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PATRICIA A BOOKER

Telephone: (703) 308-9140 EXT 204

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/511,833	PCT/FR03/01240	REGIM 3.3-042